

Atty. Dkt. No. 040679-1324

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Tadao KANUMA

Title: SIDE AIRBAG

Appl. No.: 09/924,943

Filing Date: 08/09/2001

Examiner: A. Singh

Art Unit: 1771

**NOTICE OF APPEAL FROM THE EXAMINER TO THE BOARD
OF PATENT APPEALS AND INTERFERENCES**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision of the Examiner in the Final Office Action dated February 17, 2004, finally rejecting Claims 1-23.

[X] Applicant hereby petitions for an extension of time under 37 C.F.R. §1.136(a) for the total number of months checked below:

[X] Notice of Appeal Fee

[X] To be paid as detailed below

The required fees are calculated below:

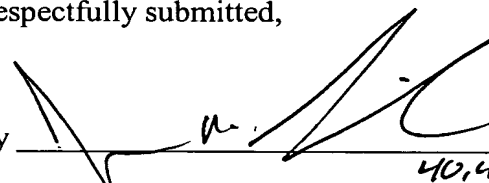
<input checked="" type="checkbox"/>	Notice of Appeal Fee	\$330.00
	FEE TOTAL:	\$330.00
	TOTAL FEE:	\$330.00

- ☐ Please charge Deposit Account No. 19-0741 in the amount of \$0.00 . A duplicate copy of this transmittal is enclosed.
- ☒ A check in the amount of \$1,298.00 is enclosed with the Amendment Transmittal to cover the additional claim fees, Extension fees and Appeal fees.
- ☒ The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

Please direct all correspondence to the undersigned attorney or agent at the address indicated below.

Respectfully submitted,

By


40,413

for Richard L. Schwaab
Attorney for Applicant
Registration No. 25,479

Date August 17, 2004

FOLEY & LARDNER LLP
Customer Number: 22428
Telephone: (202) 672-5414
Facsimile: (202) 672-5399



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Art Unit: 1771

AMENDMENT TRANSMITTAL

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Transmitted herewith is an amendment and notice of appeal in the above-identified application.

[X] The fee required for additional claims is calculated below:

	Claims As Amended		Previously Paid For		Extra Claims Present		Rate		Additional Claims Fee
Total Claims:	24	-	23	=	1	x	\$18.00	=	\$18.00
Independent Claims:	3	-	3	=	0	x	\$86.00	=	\$0.00
First presentation of any Multiple Dependent Claims:						+	\$290.00	=	\$0.00
CLAIMS FEE TOTAL									\$18.00

[X] Applicant hereby petitions for an extension of time under 37 C.F.R. §1.136(a) for the total number of months checked below:

[X] Extension for response filed within the third month: \$950.00 \$950.00

[X] Notice of Appeal fee: \$330.00 \$330.00

CLAIMS, EXTENSION AND DISCLAIMER FEE TOTAL: \$1,298.00

TOTAL FEE: \$1,298.00

[] Please charge Deposit Account No. 19-0741 in the amount of \$0.00. A duplicate copy of this transmittal is enclosed.

[X] A check in the amount of \$1,298.00 is enclosed.

[X] The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

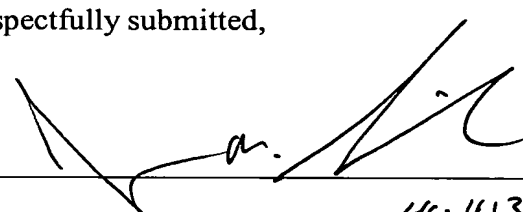
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Respectfully submitted,

Date August 17, 2004

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Art Unit: 1771

AMENDMENT AND REPLY UNDER 37 CFR 1.116

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This communication is responsive to the Final Office Action dated February 17, 2004, concerning the above-referenced patent application.

Applicant has enclosed with this amendment a Petition for Extension of Time to make this response timely.

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this document.

Remarks/Arguments begin on page 6 of this document.

Please amend the application as follows:

08/18/2004 AWABI1 00000007 09924943

03 FC:1253

950.00 DP

08/18/2004 AWABI1 00000007 09924943 18.00 DP
02 FC:1202